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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,938	06/20/2001	Mikio Watanabe	0905-0262P	5230
2292	7590	06/06/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			PEYTON, TAMMARA R	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/883,938	WATANABE ET AL.	
	Examiner	Art Unit	
	Tammara R Peyton	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29,34,35,37-39 and 41-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29,34,35,37-39 and 41-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5/15/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 29, 34, 35, 37-39, and 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ross et al.*, US 5,859,628 and *Griffin et al.*, (US 5,898,908).

As per claims 29, 34, 38, 43, and 44-46, *Ross* teaches a charging apparatus for connecting to a communication apparatus (col. 9, lines 57-col. 10, lines 18), said communication apparatus performing data communication via a communication channel (310/316) connected to a computer (system 400 including motherboard 402 + processor 404 + IR controller, Fig. 5), said communication channel being used to make the connection between said charging apparatus and said communication apparatus, said communication channel including a communication line (Fig. 3,5) for data communication and a power supply line for supplying electric power (col. 4, lines 19-31), and said charging apparatus comprising a charging circuit for applying electric power, with which it is supplied through said power supply line 108 from said computer (400)

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via said communication channel (310/316), to a connector of a data processing unit (PDA, 102) driven by a battery (114, Fig.2) installed in said data processing unit, the data processing unit being formed to have said connector in order to input electric power for charging the battery (col. 5, lines 46-48), and said data processing unit being freely attachable and detachable to said connector of said charging apparatus. (Abstract, col. 2, lines 53-col. 11)

Ross teaches a charging apparatus in form of a PDA cradle that allows a PDA to be inserted in the cradle in order to exchange information with an onboard automobile computer via computer system 400 that is connected to the PDA cradle. Further, the PDA cradle provides power for recharging the PDA. The PDA is freely attachable and detachable from the charging apparatus.

Ross also teaches a method of a monitoring circuit via an indicator lamp that show the state of the PDA rechargeable battery, in other words, one of ordinary skill would readily recognize that the indicator could be one color when charging and another color when the PDA is fully charged. Nonetheless, *Griffin* teaches a vehicle system with a cradle (14, Fig. 1), wherein the vehicle system obviously includes an onboard automobile computer, with a monitoring circuit (60, Fig. 1) that is able to charge the battery (36) of an attached portable device. Specifically, *Griffin* teaches charge control signal that controls the power level of the battery charger 60 as necessary to recharge the battery 36 of the attached portable device. (*Griffin*, col. 5, lines 38-col. 8) It would have been obvious to one of ordinary skill at the time the invention was made to implement the battery

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monitoring circuit of Griffin's cradle with Ross because doing so would ensure that the battery of an attached portable device would be charged at a minimum power level.

As per claims 35 and 39, *Ross* does not teach wherein the communication channel is a cable in accordance with IEEE 1394. *Ross* teaches wherein the communication channel is an IR data link communication channel standard. *Ross* also teaches providing a serial port between the PDA cradle and the vehicle's computer. One of ordinary skill would readily recognize that IEEE 1394 is a well-known communication standard. Therefore, it would not be out of the realm of *Ross* to establish a communication link between the PDA and the vehicle's computer using another well-known communication standard such as IEEE 1394. Doing so would add and expand the flexibility of *Ross*' system.

As per claims 37 and 41, *Ross nor Griffin* teach of the data processing circuit being a digital camera. However, *Ross and Griffin* teaches that the cradle could receive a cellular telephone and *Ross* teaches wherein the cradle would receive a PDA. Therefore, it would have been obvious that a host of other data processing circuits could be received by *Ross* or *Griffin*'s cradle and not depart from the claim invention. Further, connecting a digital camera which detachably connects to a cradle which allows the camera to communicate with a computing apparatus is well known in the art, thereby, making use of this device obvious to one of ordinary skill.

As per claim 42, *Ross and Griffin* teaches a method of a monitoring circuit via an indicator lamp that show the state of the PDA rechargeable battery, it would have been obvious to one of ordinary skill at the time the invention was made that said battery will be charged by said charging circuit only if said power supply exceeds a determined maximum power consumption.

Response to Applicant's arguments

Applicant argues that *Griffin* does not teach a monitoring circuit that does not control the power level of the power level of the battery charger 60 as necessary to recharge the battery 36 of the attached portable device. Examiner disagrees with Applicant. *Griffin* teaches wherein the battery charger 60 includes a voltage regulator. Official notice is taking that it is well known in the art that a voltage regular functions to maintain the terminal voltage of a synchronous machine at a predetermined value or to vary it accordingly. This well known definition could be found in a host of related art books including IEEE 100 (authoritative dictionary of IEEE standards terms) that is widely known in the art. Therefore, Examiner is taking the position that the battery charger with a voltage regulator of *Griffin* uses charge control signals in order to monitor/control the power level (via the voltage regulator) of the battery charger 60 as necessary to recharge the battery 36 of the attached portable device.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the

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status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300

Hand-delivered responses should be brought to:

USTPO, Randolph Building, Customer Service Window

401 Dulany Street

Alexandria, VA 22314.

TAMMARA PEYTON
PRIMARY EXAMINER

Tammara Peyton

May 22, 2006

A handwritten signature in black ink, appearing to read "Tammara Peyton", written over the typed name and date.